

Regular Session, 2012

SENATE BILL NO. 474

BY SENATOR PERRY

MOTOR CARRIERS. Exempts motor carriers of non-hazardous oilfield waste from proving public convenience and necessity. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 45:162(2) and 164(C), relative to motor carriers; to provide for
3 definitions; to exempt motor carriers of non-hazardous oilfield waste from proving
4 public convenience and necessity; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 45:162(2) and 164(C) are hereby amended and reenacted to read as
7 follows:

8 §162. Definitions

9 The following words and phrases when used in this Chapter shall have the
10 meanings ascribed to them in this Section except where a different meaning is
11 expressly stated or clearly indicated by the context.

12 * * *

13 (2) "Certificate" means a certificate of public convenience and necessity
14 issued to intrastate transporters of household goods, non-hazardous industrial solid
15 waste, or hazardous waste, which shall not include transporters of non-hazardous
16 oilfield waste, salt water utilized in oil well exploration or production, by motor
17 vehicle, and intrastate transporters of passengers by motor vehicle, other than

contract carriers by bus, under R.S. 45:161 through 172.

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§164. Common carrier's certificate; contract carrier's permit

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C. Wrecker and towing services, limousine services, and motor carriers of **non-hazardous oilfield waste or** salt water utilized in oil well exploration and production shall not be required to prove public convenience and necessity when applying for a common carrier certificate or contract carrier permit.

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Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jerry Guillot.

DIGEST

Present law requires motor carriers of household goods, waste, or passengers to prove public convenience and necessity in order to obtain permission from the Public Service Commission to operate as a common carrier or contract carrier.

Present law exempts wreckers and towing services, limousine services, and motor carriers of saltwater utilized in oil well exploration and production from the requirement to prove public convenience and necessity in order to obtain permission from the Public Service Commission to operate as a common carrier or contract carrier.

Proposed law retains present law and exempts motor carriers of non-hazardous oilfield waste from proving public convenience and necessity.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 45:162(2) and 164(C))